IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ petition No. 683 (S/S)2004

Smt. Pushpa Devi,
Resident of Oak Park Forest Colony,
Mallital, Nainital. ---- Petitioner.

Vs.

1. State of Uttarakhand, through its Secretary, Forest, Civil Secretariat, Dehradun.
2. Chief Conservator of Forests, Kumaon, Nainital,
3. Divisional Forest Officer, Bhumi Sanrakshan, Forest Division, Nainital, ----Respondents.

Sri Ashish Joshi, learned counsel for the petitioner and
Sri H.M. Raturi, learned Standing Counsel for the State of Uttarakhand/ respondents,

Hon'ble M.M. Ghildiyal, J.

Heard Sri Ashish Joshi, learned counsel for the petitioner and Sri H.M. Raturi, learned Standing Counsel for the State of Uttarakhand/respondents.

By means of this writ petition, the petitioner has Challenged the order dated 17.05.2004 passed by the Divisional Forest Officer/respondent no.3 rejecting the representation of the petitioner on the ground that the case of petitioner is the not covered by the Judgment of Hon'ble the Apex Court in the case of State of U.P. vs. Putti Lal and others, as she was not working with the Department prior to the year 2000.

Learned counsel for the petitioner has submitted that he has sufficient documents to establish that the petitioner was

working with the Department since 1979 and while taking decision on the representation of the petitioner the objection raised by the respondent's Department, is absolutely incorrect.

The petitioner may place the relevant documents before the competent authority, which she possess to show that she is one of the beneficiary of the judgment of Hon'ble the Apex Court in the case cited above and the authority concerned, after due consideration on the documents produced by the petitioner showing that she is working with the Department since 1979, may pass suitable orders in accordance with the law.

With there directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

April 19, 2007:
NCM: